

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**BARBARA BARRICK as Special  
Administrator of the Estate of Bobby Dale  
Barrick,**

**Plaintiff,**

v.

**BOARD OF COUNTY  
COMMISSIONERS OF MCCURTAIN  
COUNTY, OKLAHOMA, et al.,**

**Defendants.**

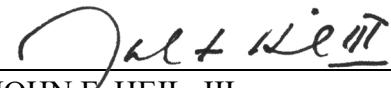
**Case No. 23-CV-129-JFH-GLJ**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Gerald L. Jackson. Dkt. No. 48. The Magistrate Judge recommends that the Motion to Dismiss filed by Defendant Board of County Commissioners of McCurtain County, Oklahoma [Dkt. No. 22] be granted.

Neither party objected to the Magistrate Judge's Report and Recommendation within the fourteen-day period prescribed by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with the Magistrate Judge's recommendation and accepts and adopts it as the order of this Court. On that basis, Defendant Board of County Commissioners of McCurtain County, Oklahoma's Motion to Dismiss [Dkt. No. 22] is GRANTED and the claims against Defendant Board of County Commissioners of McCurtain County, Oklahoma are DISMISSED without prejudice.

IT IS SO ORDERED this 19th day of October 2023.

  
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**JOHN F. HEIL, III**  
**UNITED STATES DISTRICT JUDGE**